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AMBUL A/S, AMBU INC., AND AMBU LTD.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

THE LARYNGEAL MASK COMPANY
LTD. and LMA NORTH AMERICA, INC.,

Plaintiffs,

v.

AMBU A/S, AMBU INC., AND AMBU LTD.,

Defendants,

AND RELATED COUNTERCLAIMS.

Case No. 3:07-cv-01988 DMS (NLS)

Jury Trial Demanded

**DECLARATION OF DARRYL M. WOO IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT OF
INVALIDITY FOR ANTICIPATION AND
OBVIOUSNESS**

Date: September 25, 2009
Time: 1:30 pm
Courtroom: 10, 2nd Floor
Judge: The Honorable Dana M. Sabraw

PORTIONS OF DOCUMENT SUBMITTED UNDER SEAL

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FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

I, Darryl M. Woo, declare as follows:

1. I am an attorney at law duly licensed to practice in California and have been admitted to this district since 1982. I am a partner with the law firm of Fenwick & West, LLP, counsel for Defendants Ambu A/S, Ambu, Inc., and Ambu Ltd. (collectively, "Ambu"). I have personal knowledge of the matters set forth herein, and if called upon to do so, could testify competently thereto.

2. The parties recently exchanged expert reports, and are in the process of completing expert declarations. [Woo Decl., ¶ 2.]

3. Attached hereto as **Exhibit M** is a true and correct copy of relevant excerpts of the depositions of Herbert D'Alo, taken on July 31, 2009 and August 6, 2009.

4. Attached hereto as **Exhibit N** is a true and correct copy of relevant excerpts of the deposition of Dr. William H. Rosenblatt, taken on July 29, 2009.

5. Attached hereto as **Exhibit O** is a true and correct copy of relevant excerpts of the Rebuttal Report of Dr. William H. Rosenblatt, M.D., dated July 17, 2009.

6. Attached hereto as **Exhibit P** is a true and correct copy of relevant excerpts of the Rebuttal Report of Herb D'Alo, dated July 17, 2009.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct, and that this declaration was executed this 14th day of August, 2009 in Lahaina, Hawaii.

/s/ *Darryl M. Woo*

Darryl M. Woo

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule 5.2 on August 14, 2009.

By: /s/ Darryl M. Woo
Darryl M. Woo
Email: dwoo@fenwick.com

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